

ALLEGED VIOLATION: Between the approximate dates of July 7 and 28, 1950, the defendant caused to be introduced and delivered for introduction into interstate commerce, by delivery in the District of Columbia for sale in the District of Columbia, or elsewhere, a number of unlabeled cans containing frozen eggs which were adulterated and misbranded.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in part of decomposed eggs.

Misbranding, Sections 403 (e) (1) and (2), the cans failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor, and an accurate statement of the quantity of the contents; and, Section 403 (i) (1), the cans did not bear a label bearing the common or usual name of the food.

DISPOSITION: April 26, 1951. A plea of not guilty having been entered, the case was tried before the court. A verdict of guilty was returned, and the defendant was fined \$100. *

17663. Adulteration of frozen eggs. U. S. v. 52 Cans * * *. (F. D. C. No. 30984. Sample No. 15090-L.)

LIBEL FILED: June 8, 1951, District of Nebraska.

ALLEGED SHIPMENT: On or about May 2, 1951, by the Omaha Cold Storage Co., from Carroll, Iowa.

PRODUCT: 52 30-pound cans of frozen eggs at Omaha, Nebr.

LABEL, IN PART: "Logan Brand Frozen Whole Eggs."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of the presence of decomposed eggs.

DISPOSITION: July 27, 1951. The Omaha Cold Storage Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for segregation of the adulterated portion from the unadulterated portion, under the supervision of the Federal Security Agency. Segregation operations resulted in the release of 42 30-pound cans of eggs as good and the destruction of 10 30-pound cans as unfit.

FEEDS AND GRAINS

17664. Misbranding of cottonseed screenings. U. S. v. Plains Cooperative Oil Mill. Plea of guilty. Fine of \$200 and costs. (F. D. C. No. 30083. Sample No. 89683-K.)

INFORMATION FILED: February 19, 1951, Northern District of Texas, against the Plains Cooperative Oil Mill, a corporation, Lubbock, Tex.

ALLEGED SHIPMENT: On or about August 3, 1950, from the State of Texas into the State of Kansas.

LABEL, IN PART: "41% Protein Cottonseed Pellets * * * Guaranteed Analysis Crude Protein not less than 41.00 Per Cent."

NATURE OF CHARGE: Misbranding, Section 403 (a), the label statements "41% Protein Cottonseed Pellets" and "Crude Protein not less than 41.00 Per Cent" were false and misleading since the product contained less than 41 percent of protein.

DISPOSITION: April 30, 1951. A plea of guilty having been entered, the court fined the defendant \$200 and costs.

17665. Misbranding of Concordia Brand milk solids and Shearer's Emulseast Concentrate. U. S. v. Tri Foods Co. Plea of nolo contendere. Fine of \$20, plus costs. (F. D. C. No. 30035. Sample Nos. 48902-K, 80969-K.)

INFORMATION FILED: May 24, 1951, Western District of Missouri, against the Tri Foods Co., a corporation, Concordia, Mo.

ALLEGED SHIPMENT: On or about February 17, 1950, from the State of Missouri into the State of New Jersey.

LABEL, IN PART: "Concordia Brand Milk Solids for Animal and Poultry Feeding * * * Protein 9% * * * Manufactured By Tri Foods Co. Concordia, Missouri" and "Shearer's Emulseast Concentrate."

NATURE OF CHARGE: Misbranding, Section 403 (a), the labeling of the Concordia Brand milk solids contained a statement representing and suggesting that the product contained protein in the amount of 9 percent, which was false and misleading since the product contained less than 9 percent protein; and, Section 403 (i) (2), the Shearer's Emulseast Concentrate was fabricated from two or more ingredients, and its label failed to bear the common and usual name of each ingredient.

DISPOSITION: September 28, 1951. The defendant having entered a plea of nolo contendere, the court imposed a fine of \$20, plus costs.

FISH AND SHELLFISH

17666. Adulteration of canned tuna. U. S. v. 16 Cases * * *. (F. D. C. No. 31053. Sample No. 19086-L.)

LIBEL FILED: April 13, 1951, District of Minnesota.

ALLEGED SHIPMENT: On or about September 15, 1950, by the Gloucester Safe Deposit & Trust Co., from Gloucester, Mass.

PRODUCT: 16 cases, each containing 48 6½-ounce cans, of tuna at Minneapolis, Minn.

LABEL, IN PART: "Blue Band Brand Light Meat Tuna."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

DISPOSITION: June 11, 1951. A default decree was entered ordering the product destroyed or, in lieu of destruction, denatured and disposed of for use as animal feed.

17667. Adulteration of frozen fish (Corbina). U. S. v. 1,560 Pounds * * *. (F. D. C. No. 30987. Sample No. 17968-L.)

LIBEL FILED: June 6, 1951. Southern District of California.

ALLEGED SHIPMENT: On or about May 24, 1951, by L. H. Rodrigues, from Douglas, Ariz.

PRODUCT: 1,560 pounds of frozen fish (Corbina) at Wilmington, Calif.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of the presence of decomposed fish.

DISPOSITION: July 5, 1951. Default decree of condemnation. The court ordered that the product be sold for use as an ingredient of fertilizer, and that such disposition be supervised by the Food and Drug Administration.